IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NOS: 16111 of 2002 AND 16549 OF 2002

W.P.NO.16111 OF 2002

Between:

1. Kollati Narasimhaswamy S/o Musalayya, Sarpanch, Grampanchayath, Pallipalem 533 252

Sakhinetipalli Mandal East Godavari District.

2 P. Venkata Raju S/o. Venkata Ratnam
R/o. Pallipalem Village, Sakhinetipalli Mandal, E.G.District.

3 Chinta Lakshmana Swamy S/o. Panasayya
R/o. Pallipalem Village, Sakhinetipalli Mandal, E.G.District.

4 Chinta Mutyala Raju S/o. Swamy, R/o. Pallipalem Village,

Sakhinetipalli Mandal, E.G.District.

.....PETITIONERS

AND

1. The District Collector East Godavari District at Kakinada,

E.G.District.

2 Nodal Officer Sakhinetipalli Mandal, Sakhinetipalli,
East Godavari District.

3 Mandal Revenue Officer Sakhinetipalli Mandal,

Sakhinetipalli, East Godavari District.

4 Divisional Cooperative Officer Government of Andhra

Pradesh, Amalapuram, East Godavari District.

5 Agnikula Kshetreya Field Labour Cooperative Society

Limited Registration No.B-797, Pallipalam 533 252,
Sakhinetipalli Mandal, E.G.Dist. rep. by its President.

6 Sri Vanamali Narasimha Swamy S/o. Swamy
Agnikula Kshetreya Field Labour Cooperative Soceity

Limited Pallipalem 533 252, Sakhinetipalli Mandal,
E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ declaring the action of the respondents 1 to 4 in not initiating the action against the 6th respondent for the irregularities is illegal and arbitrary; and consequently direct the respondents 1 to 4 to disqualifying the 6th respondent as President of the 5th respondent-Society; (ii) direct the respondents 1 to 4 to identify the legal heirs of the members before conducting the elections to the 5th respondent –Society.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondent Nos.1 to 4: GP FOR COOPERATION

Counsel for the respondent No.6: Mr. Nuty Rama Mohan Rao.

Court for the respondent No.5: None appeared.

WRIT PETITION NO : 16549 of 2002

Between:

1. Vanamalli Narsimha swamy S/o.Swamy, occ:Agricultural Farmer R/o.Antharvedi , Sakhinetipalli Mandal E.G.Dist.

2 The Antharvedi Agnikula Kshatria Field Labourers Coop society.Antharvedi , Sakhinetipalli Mandal, East Godavari District rep by its President. Vanamalli Narsimha Swamy S/o.Swamy, R/o.Antharvedi , Sakhinetipalli Mandal . E.G.Dist

..... PETITIONER

AND

1 The Dist Collector & Magistrate
Kakinada , EastGodavari District

2. The Dist Cooperative Officer
Kakinada , East Godavari District.

3 The Divisional Cooperative Officer
Amalapuram , East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents to conduct elections forthwith to the Managing Committee of the Antharvedi Agnikula Kshatria field labour cooperative Society No.B-797 , Antharvedi, Sakhinetipally Mandal , East Godavari District and till such time allow the incumbent Managing Committee to manage the affairs of the 2nd petitioner Society.

Counsel for the Petitioner: R.NUTY RAM MOHAN RAO

Counsel for the Respondent Nos. 1 to 3: GP FOR COOPERATION.

The Court made the following :

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COMMON ORDER

Heard both sides and at the request of learned counsel for the both parties, both the writ petitions are taken up for disposal.

The only short question, which is sought to be persuaded in these two matters, is to conduct the elections at the earliest point of time, in respect of the societies, to which the petitioners are concerned.

Having regard to the fact that the societies are now being manned by the persons-in-charge, it is highly desirable in the interest of the concerned Societies, to direct the respondents to conduct the elections as early as possible.

In the circumstances, without expressing any opinion on the merits of the case, both the writ petitions are disposed of directing the respondents to take steps for holding the elections within a period of six months from today.

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22-09-2004

To

1. The District Collector, East Godavari District at Kakinada,

E.G.District.

2 The Nodal Officer, Sakhinetipalli Mandal, Sakhinetipalli, East Godavari District.

3 The Mandal Revenue Officer Sakhinetipalli Mandal, Sakhinetipalli, East Godavari District.

4 The Divisional Cooperative Officer, Government of Andhra Pradesh, Amalapuram, East Godavari District.

5. The District Co-operative Officer, Kakinada, East Godavari District.

6. Two CCs to the Government Pleader for Cooperation, High Court Building, Hyderabad. (OUT)

7. Two C.D. copies.

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